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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,816	09/10/2001	Robert E. Breckner	IGT1P054/P-355	8186

22434 7590 04/09/2004
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EXAMINER

MENDOZA, ROBERT J

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 04/09/2004 *9*

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/954,816

Applicant(s)

BRECKNER ET AL.

Examiner

Robert J Mendoza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-16, 18-21, 24, 25, 27-58, 60-65, 67-70, 72, and 73 are rejected under 35 U.S.C. 102(b) as being anticipated by Wiltshire (USPN 6,409,602).

Regarding claims 1, 24, 29, 34, 39, 60, 64, 69 and 73, Wiltshire illustrates, in FIGS. 1-4, and discloses, in col. 3:61-67 and col. 4:1-67, a master gaming controller configured to control one or more games played on a gaming machine and a plurality of gaming devices connected to the gaming machine and in communication with the master gaming controller wherein at least one of the gaming devices generates an event in response to one or more event condition generated by the gaming device. Wiltshire discloses, in col. 4:1-25, col. 7:1-67, col. 10:15-37 and col. 11:1-67, a memory (RAM) configured to store a system that is dynamically configurable, the modular tilt handling system comprising a plurality of gaming software elements that allow the master gaming controller to detect events and to generate one or more tilt conditions in response to the one or more events wherein the modular tilt handling system is dynamically configured to generate tilts according to the regulations of a gaming jurisdiction in which the gaming machine is operating. Wiltshire discloses, in col. 11:19-50, receiving an event from at least one of a gaming device, a sensor connected to sensor monitoring circuitry and a game software element. Wiltshire discloses, in FIG. 3 and col. 11:1-18, a plurality of file storage

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devices storing gaming software programs. Wiltshire discloses, in col. 9:1-37, col. 10:1-32 and col. 11:11-39, a tilt controller, the tilt controller for communicating events generated in the gaming machine to a tilt manager, a tilt manager for declaring and clearing tilts resulting from events and at least one tilt handler loaded by and in communication with the tilt manager, the tilt handler configured to generate one or more tilt objects in response to an event. Wiltshire discloses, in col. 7:1-67, communicating that the tilt object is cleared in response to a query from the tilt manager, removing the cleared tilt object, updating a tilt presentation loaded by the tilt manager to include updated display of information associated with any remaining tilts. Wiltshire discloses, in col. 10:1-50, a first logic for detecting an event has occurred in a gaming machine and for communicating the event to a second logic, and a second logic for determining if the event constitutes a tilt and for generating a tilt if the event constitutes a tilt. Wiltshire discloses, in col. 6:43-67 and col. 7:1-33, a network allowing communication between the file storage device and the plurality of gaming machines.

Regarding claims 2, 4-16, 18-22, 25, 27, 28, 30-33, 35-38, 40-58, 61-63, 65, 67, 68, 70 and 72, Wiltshire discloses, in col. 10:19-67, a sensor monitoring circuitry connected to the gaming machine and in communication with the master gaming controller wherein the sensor monitoring circuitry generates the event in response to one or more event conditions detected by the sensor monitoring circuitry. Wiltshire discloses, in col. 9:1-39 and col. 10:6-50, the tilt controller is located in the gaming system, the tilt controller comprises a registered event receiver designed to receive events and communicate the events to the tilt manager, a context, a tilt handler list, tilt interface, prioritizing the tilts, tilt object, tilt presentation is dynamically loaded code and a shared object. Wiltshire discloses, in FIG. 1, col. 9:66-67, col. 10:1-45, a slot

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game and a display, button panel, light bezel, power supply and bill acceptor. Wiltshire discloses, in col. 5:1-67, receiving an event from at least one of a gaming device a sensor connected to a sensor monitoring circuitry, a game software element, comparing the event to one or more tilt conditions, and generating a tilt. Wiltshire discloses, in col. 11:18-31, locking-out the gaming machine to game play. Wiltshire discloses, in col. 6:43-67, an Internet and an Intranet.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 17, 23, 26, 59, 66, 71, 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiltshire in view of Brunner et al. (USPN 4,727,544).

The disclosure of Wiltshire has been discussed above and is, therefore, incorporated herein. Wiltshire lacks in disclosing displaying the tilt condition on the display of the gaming machine. Brunner, in an analogous invention, teaches, in col. 3:54-65, if the checksum algorithmic fails for one of the EPROMs, the gaming device enters a tilt condition wherein an appropriate message is displayed on the display and the processor locks up the machine. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Brunner into the disclosed invention of Wiltshire. One would motivated to combine the teachings of Brunner with the disclosure of Wiltshire in order to, provide a visual indication of a tilt condition to a player and to assist casino employees readily identifying the tilt condition.

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Response to Arguments

Applicant's arguments with respect to claims 1-74 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Mendoza whose telephone number is (703) 305-7345. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached at (703) 308-1327. The USPTO official fax number is (703) 872-9306.

RM

RM
March 31, 2004



Teresa Walberg
Supervisory Patent Examiner
Group 3700